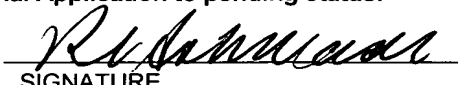


|   |  |   |
|---|--|---|
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |  | ATTORNEY'S DOCKET NUMBER<br><b>016906-0493</b>                          |
|   |  | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)<br><b>10/575,462</b> |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/EP2004/011555</b>   | INTERNATIONAL FILING DATE<br><b>10/14/2004</b> | PRIORITY DATE CLAIMED<br><b>10/14/2003</b>                              |
| TITLE OF INVENTION<br><b>COMPOSITE PART, ESPECIALLY CROSS MEMBER</b>  |  |   |
| APPLICANT(S) FOR DO/EO/US<br><b>Thomas FEITH, Christian MERKLE and Walter WOLF</b>  |  |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |   |
| <p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;"><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;"><input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;"><input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;"><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;"><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 20px;"><input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;"><input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> |  |   |
| Items 11 to 20 below concern other document(s) or information included:   |  |   |
| <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>  |  |   |

FORM PTO-1390 (Modified)

|  |              |   |             |  |         |
|--|--------------|---|-------------|--|---------|
| U.S. APPLICATION NO. (If known, see 37 CFR. 1.5)<br><b>10/575,462</b>  |              | INTERNATIONAL APPLICATION NO.<br><b>PCT/EP2004/011555</b>                     |             | ATTORNEY'S DOCKET NUMBER<br><b>016906-0493</b> |         |
| The following fees have been submitted:  |              |   |             |  |         |
| 21. <input checked="" type="checkbox"/> Basic national fee   |              | <b>\$300</b>  |             | \$ 0.00  |         |
| 22. <input checked="" type="checkbox"/> Examination fee  |              |   |             |  |         |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)   |              | \$100   |             | \$ 0.00  |         |
| All other situations   |              | \$200   |             |  |         |
| 23. <input checked="" type="checkbox"/> Search fee   |              |   |             |  |         |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority  |              | \$100   |             |  |         |
| International Search Report prepared and provided to the Office  |              | \$400   |             |  |         |
| All other situations   |              | \$500   |             | \$ 0.00  |         |
| <b>TOTAL OF ABOVE 21, 22 and 23 =</b>  |              |   |             | <b>\$ 0.00</b>                                 |         |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.  |              |   |             |  |         |
| Total Sheets   | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) |             | RATE   |         |
| 23 - 100 = 0   | /50 =        | 0   |             | x \$250.00                                     | \$ 0.00 |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))  |              |   |             | \$ 130.00                                      |         |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA  | RATE        |  | \$      |
| Total Claims   | 19 - 20 = 0  |   | x \$ 50.00  |  | \$ 0.00 |
| Independent Claims   | 1 - 3 = 0    |   | x \$ 200.00 |  | \$ 0.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |   | + \$ 360.00 |  | \$      |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |   |             | <b>\$ 130.00</b>                               |         |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.   |              |   |             | + \$ 0.00                                      |         |
| <b>SUBTOTAL =</b>  |              |   |             | <b>\$ 130.00</b>                               |         |
| Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).  |              |   |             | \$   |         |
| <b>TOTAL NATIONAL FEE =</b>  |              |   |             | <b>\$ 130.00</b>                               |         |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property   |              |   |             | \$   |         |
| <b>TOTAL FEES ENCLOSED =</b>   |              |   |             | <b>\$ 130.00</b>                               |         |
|  |              |   |             | Amount to be refunded:                         |         |
|  |              |   |             | charged:                                       |         |
| <p>a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charge to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO:</p> <p style="margin-left: 40px;">Foley &amp; Lardner LLP<br/>Customer Number: 22428</p> <div style="text-align: right; margin-right: 40px;"> <br/> SIGNATURE<br/> <b>Richard L. Schwaab</b><br/> NAME<br/> <b>25,479</b><br/> REGISTRATION NUMBER </div> |              |   |             |  |         |

03/16/2007 JBALINAN 00000087 10575462

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/575,462                  | Thomas Feith          | 016906-0493      |

|                               |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
| PCT/EP04/11555                |

22428  
 FOLEY AND LARDNER LLP  
 SUITE 500  
 3000 K STREET NW  
 WASHINGTON, DC 20007

|                  |               |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 10/14/2004       | 10/14/2003    |

**CONFIRMATION NO. 3183**  
**371 FORMALITIES LETTER**



Date Mailed: 01/16/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/12/2006
- English Translation of the IA filed on 04/12/2006
- Copy of the International Search Report filed on 04/12/2006
- Preliminary Amendments filed on 04/12/2006
- Information Disclosure Statements filed on 04/12/2006
- Oath or Declaration filed on 04/12/2006
- U.S. Basic National Fees filed on 04/12/2006
- Assignment filed on 07/12/2006
- Priority Documents filed on 04/12/2006
- Power of Attorney filed on 07/12/2006
- Non-English Language Application filed on 04/12/2006
- Specification filed on 04/12/2006
- Claims filed on 04/12/2006
- Abstracts filed on 04/12/2006
- Drawings filed on 04/12/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - does not identify the application to which it is directed.

- Declaration under Rule 4.17 not executed on or before International Application filing date
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

## PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/575,462                  | PCT/EP04/11555                | 016906-0493      |